

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	Case No. 4:17-cv-00131-BYP
	)	
vs.	)	Hon. Benita Y. Pearson
	)	
S.H. BELL COMPANY,	)	
	)	
Defendant.	)	

**UNITED STATES' MOTION FOR EXTENSION OF TIME TO  
MOVE FOR ENTRY OF CONSENT DECREE**

On January 18, 2017, the United States filed a *Notice of Lodging of Consent Decree* (Dkt. 2) and lodged with the Court a proposed Consent Decree (Dkt. 2-1) between the United States and S.H. Bell Company ("S.H. Bell"). On January 25, 2017, the U.S. Department of Justice published a notice in the *Federal Register*, advising the public of the lodging of the proposed Consent Decree and inviting the public to comment on it for a 30-day period commencing with the date of publication of the notice. *See* 82 Fed. Reg. 8436-8437. The United States received four comments during the public comment period; two comments were from local residents and two from industry-associated entities.

On March 3, 2017, this Court issued an Order directing the United States to move for entry of the proposed Consent Decree or notify the Court of its withdrawal of the proposed Decree by March 16, 2017 (Dkt. 4). The United States seeks this extension to allow time to brief incoming administration officials with decision-making responsibility about this case, so that

they may become familiar with the subject matter and issues presented. The new EPA Administrator was confirmed by the Senate less than a month ago, on February 17, 2017, and many subordinate political positions at the agency remain unfilled. Requests to continue proceedings to allow time for new administration officials to become familiar with cases under their authority are customary. *See Brady Campaign to Prevent Gun Violence v. Salazar*, 612 F. Supp. 2d 1, 10 (D.D.C. 2009) (noting that an extension of a preliminary injunction briefing schedule was granted after a change in administration).

THEREFORE, the United States respectfully requests that the Court provide the United States an extension of time until March 30, 2017 to make the requisite filing. Defendant has indicated that it does not object to the United States' request for additional time.

Dated: March 14, 2017.

Respectfully submitted,

PLAINTIFF UNITED STATES

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/s/ Jeffrey A. Spector

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing *Motion for Extension of Time to Move for Entry of Consent Decree* was served on this date via email upon the following individual:

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3/14/2017

Date

/s/ Jeffrey A. Spector

Jeffrey A. Spector